

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

SHELIA DAVIS,  
Plaintiff,

Case No. 1:15-cv-659  
Beckwith, J.  
Litkovitz, M.J.

vs.

RONALD M. FARIS, CEO,  
dba OCWEN LOAN SERVICING, INC.,  
Defendant.

**REPORT AND  
RECOMMENDATION**

Plaintiff Shelia Davis originally filed her pro se complaint in the Hamilton County, Ohio Municipal Court. (Doc. 2). On October 7, 2015, defendant removed the case to this Court. (Doc. 1). On October 8, 2015, defendant filed a motion to dismiss the complaint for failure to state a claim upon which relief can be granted. (Doc. 6). The Court notified plaintiff on October 9, 2015, that failure to respond to the motion within 21 days of its receipt may be cause for the Court to consider dismissing this action for failure to prosecute. (Doc. 7). Plaintiff did not respond to the motion to dismiss. Subsequently, on January 29, 2016, the Court issued an Order to Show Cause, ordering plaintiff to show cause in writing within 15 days of the date of the Order why the Court should not dismiss the case for lack of prosecution. (Doc. 8). Plaintiff has not responded to the Order to Show Cause to date.

Plaintiff's failure to respond to the Court's Order to Show Cause warrants dismissal of the case pursuant to Fed. R. Civ. P. 41(b) for failure to prosecute. *See Jourdan v. Jabe*, 951 F.2d 108, 109-10 (6th Cir. 1991). District courts have this power to dismiss civil actions for want of prosecution to "manage their own affairs so as to achieve the orderly and expeditious disposition

of cases.” *Link v. Wabash R.R.*, 370 U.S. 626, 630-631 (1962). *See also Jourdan*, 951 F.2d at 109.

**IT IS THEREFORE RECOMMENDED THAT:**

Plaintiff’s complaint be **DISMISSED** with prejudice pursuant to Fed. R. Civ. P. 41(b).

Date: 3/2/16

Karen L. Litkovitz  
Karen L. Litkovitz  
United States Magistrate Judge

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**NOTICE**

Pursuant to Fed. R. Civ. P. 72(b), **WITHIN 14 DAYS** after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations. This period may be extended further by the Court on timely motion for an extension. Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendation is based in whole or in part upon matters occurring on the record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon, or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections **WITHIN 14 DAYS** after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).